

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICKY M. ARNTSEN,

Plaintiff,

v.

STATE OF WASHINGTON, et al.,

Defendant.

CASE NO. C24-5511 BHS

ORDER

THIS MATTER is before the Court on Magistrate Judge David W. Christel's Report and Recommendation (R&R), Dkt. 69, recommending the Court deny pro se prisoner plaintiff Ricky Arntsen's motion for default judgment against the defendants in their individual capacities, Dkt. 59.

The R&R concludes that Arntsen's motion is procedurally flawed because the defendants filed notices of appearance and he did not give them 14 days notice of his motion. Dkt. 69 at 4. Arntsen's objections to the R&R were due January 24. Dkt. 69 at 5. Arntsen has since filed another motion, Dkt. 76, and seven other supplements, notices, certificates and requests, Dkts. 72, 73, 74, 75, 77, 78, and 80, but he did not object to the R&R.

1 A district court “shall make a de novo determination of those portions of the report
2 or specified proposed finding or recommendations to which objection is made.” 28
3 U.S.C. § 636(b)(1)(C); *see also* Fed. R. Civ. P. 72(b)(3). It must modify or set aside any
4 portion of the order that is clearly erroneous or contrary to law. Fed. R. Civ. P. 72(a). The
5 district judge may accept, reject, or modify the recommended disposition; receive further
6 evidence; or return the matter to the magistrate judge with instructions. Fed. R. Civ. P.
7 72(b)(3).

8 The Court must “review the Magistrate Judge’s findings and recommendations de
9 novo *if objection is made*, but not otherwise.” *United States v. Reyna-Tapia*, 328 F.3d
10 1114, 1121 (9th Cir. 2003) (citing § 636(b)(1)(C)). A proper objection requires “specific
11 written objections to the proposed findings and recommendations.” Fed. R. Civ. P.
12 72(b)(2).

13 Arntsen is not entitled to a default judgment against the defendants in their
14 individual capacities. The R&R is neither clearly erroneous nor contrary to law. It is
15 **ADOPTED** and Arntsen’s motion for a default judgment, Dkt. 59, is **DENIED**. The case
16 **REMAINS REFERRED** to Magistrate Judge Christel for consideration of Arntsen’s
17 other filings.

18 **IT IS SO ORDERED.**

19 Dated this 30th day of January, 2025.

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BENJAMIN H. SETTLE
United States District Judge